

PATENT COOPERATION TREATY

31

PCT

From the INTERNATIONAL BUREAU

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

To:

MIYAKOSHI, Noriaki
Shin-ei Patent Office
7-13, Nishi-Shimbashi 1-chome
Minato-ku, Tokyo 1050003
Japan

Date of mailing (day/month/year) 21 July 2006 (21.07.2006)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference J0108383WO01	
International application No. PCT/JP2005/007754	International filing date (day/month/year) 19 April 2005 (19.04.2005)

1. The following indications appeared on record concerning:									
<input type="checkbox"/> the applicant	<input type="checkbox"/> the inventor <input checked="" type="checkbox"/> the agent <input type="checkbox"/> the common representative								
Name and Address MIYAKOSHI, Noriaki Shin-ei Patent Office 12th Floor, ARK Mori Building 12-32, Akasaka 1-chome Minato-ku, Tokyo 107-6012 Japan	<table border="1"> <tr> <td>State of Nationality</td> <td>State of Residence</td> </tr> <tr> <td colspan="2">Telephone No. 03-5562-6464</td> </tr> <tr> <td colspan="2">Facsimile No. 03-5561-3989</td> </tr> <tr> <td colspan="2">Teleprinter No.</td> </tr> </table>	State of Nationality	State of Residence	Telephone No. 03-5562-6464		Facsimile No. 03-5561-3989		Teleprinter No.	
State of Nationality	State of Residence								
Telephone No. 03-5562-6464									
Facsimile No. 03-5561-3989									
Teleprinter No.									
2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:									
<input type="checkbox"/> the person	<input type="checkbox"/> the name <input checked="" type="checkbox"/> the address <input type="checkbox"/> the nationality <input type="checkbox"/> the residence								
Name and Address MIYAKOSHI, Noriaki Shin-ei Patent Office 7-13, Nishi-Shimbashi 1-chome Minato-ku, Tokyo 105-0003 Japan	<table border="1"> <tr> <td>State of Nationality</td> <td>State of Residence</td> </tr> <tr> <td colspan="2">Telephone No. 03-6203-9580</td> </tr> <tr> <td colspan="2">Facsimile No. 03-6203-9595</td> </tr> <tr> <td colspan="2">Teleprinter No.</td> </tr> </table>	State of Nationality	State of Residence	Telephone No. 03-6203-9580		Facsimile No. 03-6203-9595		Teleprinter No.	
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Telephone No. 03-6203-9580									
Facsimile No. 03-6203-9595									
Teleprinter No.									
3. Further observations, if necessary:									
4. A copy of this notification has been sent to:									
<input checked="" type="checkbox"/> the receiving Office	<input checked="" type="checkbox"/> the designated Offices concerned								
<input type="checkbox"/> the International Searching Authority	<input type="checkbox"/> the elected Offices concerned								
<input type="checkbox"/> the International Preliminary Examining Authority	<input type="checkbox"/> other:								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Yuichiro AIDA (Fax 338 7010)
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EPO Customer Services

Tel.: +31 (0)70 340 45 00

Date
08.06.06

Reference	Application No./Patent No. 05703996.8 - 2223 PCT/JP2005000775
Applicant/Proprietor Hitachi Kokusai Electric Inc.	

Entry into the European phase before the European Patent Office

These notes describe the procedural steps required for entry into the European phase before the European Patent Office (EPO). You are advised to read them carefully: failure to take the necessary action in time can lead to your application being deemed withdrawn.

1. The above-mentioned international patent application has been given European application No. 05703996.8.
2. Applicants **without** a residence or their principal place of business in an EPC contracting state may themselves initiate European processing of their international applications, provided they do so before expiry of the 31st month from the priority date (see also point 6 below).

During the European phase before the EPO as designated or elected Office, however, such applicants must be represented by a professional representative (Arts. 133(2) and 134(1), (7) EPC).

Procedural acts performed after expiry of the 31st month by a professional representative who acted during the international phase but is not authorised to act before the EPO have no legal effect and therefore lead to loss of rights.

Please note that a professional representative authorised to act before the EPO and who acted for the applicant during the international phase does not automatically become the representative for the European phase. Applicants are therefore strongly advised to appoint in good time any representative they wish to initiate the European phase for them; otherwise, the EPO has to send all communications direct to the applicant.

3. Applicants **with** a residence or their principal place of business in an EPC contracting state are not obliged to appoint, for the European phase before the EPO as designated or elected Office, a professional representative authorised to act before the EPO.
However, in view of the complexity of the procedure it is recommended that they do so.
4. Applicants and professional representatives are also strongly advised to initiate the European phase using EPO Form 1200 (available free of charge from the EPO). This however is not compulsory.



5. To enter the European phase before the EPO, the following acts must be performed.
(N.B.: Failure validly to do so will entail loss of rights or other adverse legal consequences.)

5.1 If the EPO is acting as **designated or elected Office** (Arts. 22(1)(3) and 39(1) PCT respectively), applicants must, within 31 months from the date of filing or (where applicable) the earliest priority date:

- a) Supply a translation of the international application into an EPO official language, if the International Bureau did not publish the application in such a language (Art. 22(1) PCT and R. 107(1)(a) EPC).

If the translation is not filed in time, the international application is deemed withdrawn before the EPO (R. 108(1) EPC).

This loss of rights is deemed not to have occurred if the translation is then filed within a two-month grace period as from notification of an EPO communication, provided a surcharge is paid at the same time (R. 108(3) EPC).

- b) Pay the national basic fee (EUR 170,00) and, where a supplementary European search report has to be drawn up, the search fee (EUR 720,00 ; R. 107(1)(c) and (e) EPC).
- c) If the time limit under Article 79(2) EPC expires before the 31-month time limit, pay the designation fee (EUR 80,00) for each contracting state designated (R. 107(1)(d) EPC).
- d) If the time limit under Article 94(2) EPC expires before the 31-month time limit, file the written request for examination **and** pay the examination fee (EUR 1490,00 ; R. 107(1)(f) EPC).
- e) Pay the third-year renewal fee (EUR 400,00) if it falls due before expiry of the 31-month time limit (R. 107(1)(g) EPC).

If the fees under (b) to (d) above are not paid in time, or the written request for examination is not filed in time, the international application is deemed withdrawn before the EPO, or the contracting-state designation(s) in question is (are) deemed withdrawn (R. 108(1) and (2) EPC). However, the fees may still be validly paid within a two-month grace period as from notification of an EPO communication, provided the necessary surcharges are paid at the same time (R. 108(3) EPC). For the renewal fee under (e) above, the grace period is **six** months from the fee's due date (Art. 86(2) EPC).

For an overview of search and examination fees, see OJ EPO 11/2005, 577 and 03/2006.

- 5.2 If the application documents on which the European grant procedure is to be based comprise more than ten claims, a claims fee is payable within the 31-month time limit under Rule 107(1) EPC for the eleventh and each subsequent claim (R. 110(1) EPC). The fee can however still be paid within a one-month grace period as from notification of an EPO communication pointing out the failure to pay (R. 110(2) EPC).

6. If the applicant had a representative during the application's international phase, the present notes will be sent to the representative, asking him to inform the applicant accordingly.

All subsequent communications will be sent to the applicant, or - if the EPO is informed of his appointment in time - to the applicant's European representative.



Date

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Application No. 05703996.8

7. For more details about time limits and procedural acts before the EPO as designated and elected Office, see the EPO brochure

How to get a European patent
Guide for applicants - Part 2
PCT procedure before the EPO - "Euro-PCT"

This brochure, the list of professional representatives before the EPO, Form 1200 and details of the latest fees are now all available on the Internet under

<http://www.european-patent-office.org>

Receiving section

